

**Channel Islands National Marine Sanctuary
Sanctuary Advisory Council
Meeting Minutes**

Friday March 15, 2002
9:30-2:45

Channel Islands National Park Auditorium

In Attendance:

GOVERNMENT REPRESENTATIVES:

NATIONAL MARINE FISHERIES SERVICE

Member Mark Helvey

NATIONAL PARK SERVICE

Member Tim Setnicka

US COAST GUARD

Alternate Troy Rentz

MINERALS MANAGEMENT SERVICE

Member Drew Mayerson

DEPT. OF DEFENSE

Member Alex Stone
Alternate Walt Schobel

CALIFORNIA RESOURCES AGENCY

Alternate Melissa Miller-Henson

COUNTY OF SANTA BARBARA

Member Dianne Meester
Alternate Jackie Campbell

COUNTY OF VENTURA

Alternate Jack Peveler

NON-VOTING MEMBERS

Channel Islands National Marine Sanctuary

Michael Murray

Monterey Bay National Marine Sanctuary

Sean Morton

COMMUNITY REPRESENTATIVES:

TOURISM

Member Jeanette Webber
Alternate Alex Brodie

RECREATION

Member Jim Brye
Alternate Eric Kett

BUSINESS

Member Michael Hanrahan
Alternate Don Dusette

CONSERVATION

Alternate Greg Helms

FISHING

Member Harry Liquornik
Alternate 1 Eric Hooper

EDUCATION

Member Larry Manson
Alternate Kathy deWet-Oleson

RESEARCH

Alternate Dan Brumbaugh

PUBLIC AT-LARGE

Member 1 Jon Clark
Alternate 1 Richard Holt

PUBLIC AT-LARGE

Member 2 Robert Duncan
Alternate 2 Avie Guerra

PUBLIC AT-LARGE

Member 3 Matthew Cahn
Alternate 3 Roberta Cordero

Absent:

GOVERNMENT REPRESENTATIVES:

NATIONAL MARINE FISHERIES SERVICE

Alternate Christina Fahy

NATIONAL PARK SERVICE

Alternate Gary Davis

US COAST GUARD

Member Yuri Graves

MINERALS MANAGEMENT SERVICE

Alternate Fred Piltz

CA DEPT. OF FISH & GAME

Member Patty Wolf

Alternate Jorge Gross

CALIFORNIA RESOURCES AGENCY

Member Brian Baird

CALIFORNIA COASTAL COMMISSION

Member Rebecca Roth

Alternate Gary Timm

COMMUNITY REPRESENTATIVES:

CONSERVATION

Member Linda Krop

FISHING

Alternate 2 Chris Miller

RESEARCH

Member Bob Warner

NON-VOTING MEMBERS

Channel Islands National Marine Sanctuary

LCDR Matt Pickett

Monterey Bay National Marine Sanctuary

Bill Douros

1. Administrative Business

Tim Setnicka welcomed the SAC to Channel Islands National Park Headquarters

Mike Murray welcomed the SAC and explained that he is filling in for Matt Pickett who is in DC at the Ocean Coastal Program Managers Meeting

A. Roll Call

Jeanette Webber- roll call, 17 of 20 voting seats were represented, with an additional voting seat added later. There were a total of 31 SAC representatives in attendance for the day (15 members, 14 alternates, 2 non-voting). Public attendance averaged about 40 individuals. A total of 23 seats were represented, NMFS and CCC were absent.

B. Introduction of New Council Representatives

New Recreation Alternate Eric Kett introduced himself. He has been in the area for 21 years, diving for 15 years and has been a captain on charter, diving & research vessels.

New Monterey Bay National Marine Sanctuary Alternate Sean Morton was introduced. He is the Management Plan Coordinator for the MBNMS.

C. Approval of 1/9/02 SAC Meeting Minutes

Dianne stated that the minutes not yet complete, but there is a summary of the meeting on the web site.

D. Sanctuary Manager's Report

Dianne- Managers report sent out a couple of days ago

Michael Murray reviewed the manager's report (available on back table for the public). The report highlights the new vessel, complete in August of this year. It is similar to Condor Express, same design, same builder. Need final payments, it is a state of the art vessel. CINMS and the Foundation are open to suggestions and advise for fund raising to outfit this vessel.

E. Council Member Announcements

Harry Liquornik reported that there were no Fishing Working Group meetings as the fishing and weather has been good. Next meeting he will have more to report.

Bob Duncan mentioned that Bob Ballard will be here next February for a satellite hook up.

Larry Manson brought up the Matilija Dam issue regarding water quality and the Army Corps of Engineers study.

Tim Setnicka spoke of the construction underway on the pier at Prisoners Harbor and the bald eagles study. The park wants to put birds out this summer at the isthmus area.

Sean Morton spoke of wrapping up the public scooping work in Monterey and working with the SAC to decide what issues to work on in the joint management plan. This will probably be a longer process because it will be looking at three sanctuaries at once.

Dianne Meester told of going to the SAC Chairs & Coordinators meeting in Marathon Florida. It was a good meeting with full days of lessons learned at various sites. There were similar issues, especially reserve processes, management plans & meeting operations. They also spent time on annual operating plans and the role of the SAC's on national issues. Headquarters is supportive of this, annual reports and retreats. They are committed to having these meetings every year.

Troy Rentz brought up the ecological risk assessment regarding oil spill scenarios. Next month they will discuss clean up alternatives such as mechanical versus dispersants and insitu burning. At present there is no environmental representation, if anyone is interested in being there, specifically environmental, please contact Troy.

Dan Brumbaugh - Presented "Sustaining Seascapes" at SBMNH. Included were many issues that are of concern here that weld natural and social science together. The abstract is on the web with highlights.

Mark Helvey will be participating in fishermen's forum in Monterey next week

Melissa Miller-Henson announced the California and World Ocean Conference in October of this year in Santa Barbara. As a result of the last conference, about a dozen legislative items passed! There will be an announcement and call for papers at the end of this month.

Drew Mayerson told of MMS litigation to 36 leases. They are downsizing by 50%. Many functions are being terminated. MMS studies program is being phased out in California. Maintenance of existing contracts will continue. Studies related to the decommissioning of the platforms may be allowed.

Kathy de Wet-Oleson reported on the Education Working Group meeting. She will say more later. There are 2 more meetings scheduled before the next SAC meeting.

Alex Brodie- The new Islander and facility opening was last night.

Jim Brye- Regarding oil spill work, there has been another grounding (Mystic), who is first line of contact?

Troy Rentz- Usually you go through the coast guard, then search and rescue. First you mitigate the environmental threat and then turned the situation over to the Sanctuary or the Park.

2. Continuation of SAC Planning for 2002

Recap of planning decisions from Jan 9 SAC meeting:

- SAC Education Working Group will work on development of educational strategies for marine reserves (Larry Manson and Kathy deWet-Oleson, Co-Chairs)
- Ad Hoc Group on Biological Evaluation and Monitoring of Marine Reserves formed (Bob Warner, Chair)
- Ad Hoc Group on Socio-Economic Monitoring of Marine Reserves formed (Lyn Krieger, Chair)
- Ad Hoc Group on Enforcement of Marine Reserves formed (Robert Duncan, Chair)

- The SAC will assist staff in planning a workshop on Marine Reserve Management in the fall
- With regards to the Management Plan, with the release of the Draft Management Plan/Draft Environmental Impact Statement, the SAC will host a public meeting to help the community understand the plan and their opportunity to comment.
- The SAC agreed to comment in writing on the DEIS/DMP, focusing on areas of agreement and working to not get bogged down on divisive issues.

Management Plan Process Update

Management Plan Coordinator Anne Walton recapped the CINMS and SAC history with the Management Plan Revision Process. The Management Plan began 3 years ago in January of 1999 through an extensive public process. The SAC was created to assist in the Management Plan. As part of this goal they held public scoping meetings. The first step was to define a study area. The SAC used an ecosystem-based area based on a study by Michael McGinnis. The outcome was the study area for the DEIS. The SAC approved the study area 2.5 years ago and added more area, Santa Lucia Bay. They formed a range of alternatives for boundary redefinition and how this would affect the regulatory and non-regulatory language of the Management Plan. The biggest issue of the Management Plan process was the environmental and socio-economic impacts. The SAC gave its blessing to the range of alternatives. There was a workshop with the SAC about 1.5 yrs ago. DEIS and MP were then drafted. They have been in the draft stage for over a year because of the change in administration and waiting for a new NOAA administrator. The administration does not have to see everything but does approve the DEIS. This could possibly happen in late march. This is not a top priority for the new administrator at this time. We continued to work on this with the DOD & MMS. As of now, there are no dates. First we need to brief the new NOAA administrator. About 3 months after the briefing the DEIS should be able to be released.

DISCUSSION:

Greg Helms- We are tired of waiting for this! Most of us were here when we went through all this. I propose that the SAC help Anne and the site to move the Management Plan forward. We had success at gaining community engagement, but now the ball has dropped. What can we do? Write a letter to the Admiral?

Dianne Meester- Dan Basta came 14 months ago, 20 months ago we had the boundary discussion. How would the SAC want to deal with this? I fully support sending a letter.

Michael Hanrahan- Yes, let's write a letter to headquarters. We should ask for a definitive date for the DEIS, and get an explanation for the public process. We need guidance from local staff for the process to be tailored to the needs and interests of our group. We need to light a fire under NOAA's butt.

Drew Mayerson- Would this be helpful or not? Our request to talk is already in... we need guidance if this is a good idea

AnneWalton- A couple of things are happening. 1. We have a new administrator after a 1.5-year gap. This issue is not urgent, so it gets put in the back of the line.

2. It is in the best interest of the Sanctuary Program to finish what we have started before we start other site Management Plan Reviews. We should complete what we have started before engaging in a new and very extensive Management Plan Review Process.

Dianne Meester- We need to move and get priority.

Harry Liquornik-How big an effect do you think that would have on existing work that has been done to try and get this new management plan rolling?

Anne Walton- Well, of course this is a discussion Sean and I have on a regular basis and also with Matt and Mike. We intentionally tried to separate the two processes so that the focus would be on a very discreet process of a system of marine reserves within the existing Sanctuary boundaries. Because we were looking at possible expansion and that involves other issues, we did not want to confuse the two and have reserves be in any way associated with the boundary expansion issue. So, intentionally they have been carried on as separate processes, but, with the timing, we don't know what will happen in the end. It may be that we will fold the reserve process into the Management Plan Review, but keep it as a discreet unit because it was developed very separately from the

rest of the management plan review, or we will continue to move separately. Timing is everything and federal rule making process takes a long time, as you can see. At the minimum, it takes a couple of years for something like reserves and management plan review. So, we suspect that they are going to keep on separate tracks.

Sean Hastings- If I could add just two clarifying points. One is that with the reserve process and reserve designation process underway with the Fish and Game Commission via the state process. Regardless of where our management plan timing comes out, NOAA is supporting and working with the state process and their expected decision time frame is August 2002. We will continue to wait for the state to make a decision and thereafter we will initiate a federal reserve rulemaking process. We do not have any clarity on when the management plan DEIS will be released. As Anne said, we kept them separate because it was uncertain as to the timing and because of the issues of boundary expansion and reserves, the attention that has gone into reserves. The way that it is referred to is that they are separate but parallel processes. I'll give you an example, the Florida Keys, when they went through their management plan creation and designation; they talked about establishing a system of reserves. They approved their management plan and their DEIS became final. They then went through their reserve process, and what they did, is when they implemented reserves, it was a supplemental environmental impact statement to their management plan and it was folded back into the original plan. That could happen here. If our management plan comes out and goes through the process of approval, reserves follow there after; it would be a supplemental plan to what we are doing now. There is lots of different ways that this could happen, and it depends on when the management plan is finally released, when the state makes its decision. There are a couple of things in the air and a couple of targets to watch.

Harry Liquornik- When you say supplemental plan, Sean, is that you still have to do the federal rulemaking on the reserves and that would get folded into the plan. On your current timeline, your ideal scenario would be to get the management plan moving through the rulemaking process first?

Anne Walton- I think it would make things simpler and put that one to bed. I think that there is a problem with confusion between the reserve process and management plan review and it would be much simpler if we could complete one, probably the management plan review and have that implemented, then talk about the marine reserves process. We are not going to hold up the reserve process. The timing on that is just as gray area as the management plan review.

Harry Liquornik- What about any interagency MOU's with your other federal partners? I assume you will probably try to take care of that in the reserve rulemaking then? To me it seems potentially that if you did one round of rulemaking, if we are able to get moving concurrently on both issues, it might be cleaner.

Sean Hastings- That is a good point, developing formal Memorandums of Understanding or agreement between the agencies are not necessarily tied to the management plan or reserve rulemaking processes. In addition, under the management plan and reserve rule making processes, coordination is required between the agencies. Whether that is formalized in an agreement or not depends on both agencies if both agencies want to do that or a multitude of agencies. We've discussed with the Coast Guard, the Park, Department of Fish and Game and NMFS, the need for an enforcement memorandum of understanding and that might come up later today when we talk about our reserve enforcement. That is not necessarily tied to the rulemaking process. It is something to explore, it can be a very useful tool. I believe that we do have MOU's at a national level with NMFS right now on a variety of issues. Site specific ones would have to be developed if that was a course that the agencies wanted to go.

Anne Walton - We also have old ones with Fish and Game from 80's, I think it is a MOA.

Jim Brye- I guess I share Greg's concerns and frustrations. I think that Greg had a good idea, I would suggest that we ask Matt what his recommendation on how we proceed in terms of talking with NOAA. I say that because this issue keeps coming up and I think that it would be good if we could put it on the table. I still see our role as an advisory council to Matt in principle and we have had occasions where we choose to want to take a position outside the NOAA boundaries, inside the NOAA boundaries, and I do not really have an answer for that. My concern is on the one hand, we certainly shouldn't be passive. I think that we have a lot of experience and a lot to offer and that is why we have been asked to spend time on this council. But, on the other hand, if we become so aggressive, such that we become kind of a renegade body, going around sending letters, I think that we could end up with a Hewlett Packard/Compaq situation...i.e. who is in charge? What is going on? I would suggest that Matt is the best person to give us some guidance. If he said yes, it would help me for you to pen a letter and send it to all the powers that be in Silverspring, then I think that we ought to do it.

Mike Murray - I would like to respond quickly. Matt and I have talked many times about these long delays in the management plan process and how do we keep the SAC engaged. I know that... I will try to speak for him a little bit here. When it comes to providing guidance to this body and we get down to the level of Matt wanting to say, "Write a letter to this person, but not that person", I think that goes beyond what he would feel is appropriate. I think that the staff kind of respects that. If you guys are charged up and want to write a letter to NOAA, maybe he could at least say, "Well, we share your frustration on the delays", but I don't think that he wants to have written a letter for you and tell you exactly where to send it necessarily. From what I understand, it really helps to know what Matt would want to see happen. He is going to hold back at some level and say that it needs to rise up from this community group. Having said that, having you address the letter to Matt or his boss or his bosses, bosses boss, it will move along the chain to whoever you decide to send it to or cc it to, he'll respect that. One last thing, in the charter for the advisory council, letters do need to meet with the final approval of the manager. So, if you guys did go crazy and write something that absolutely wasn't true about the sanctuary and want to send it to congress or somebody, Matt would jump in and say, "Wait a minute, under charter I am supposed to approve letters to go out the door and watch for things that are just flat out wrong." Now, he has never used this censorship, and hopes never to have to, but there is a check in there that we do not talk about very often. Having said all that, we just want to know if you want to send a letter and to whom.

Diane Meester- Since Mike got to speak for Matt, I am going to speak for the staff. I think they're equally as frustrated with this process and I don't think that it would be harmful, and I think that you're right, Matt would decide whether he thought that we went too crazy, but I have a feeling he would support us sending a letter.

Bob Duncan- If the staff thinks that it does not do any harm, I would make a motion that we should draft a letter. I would also further state that it should not have any leaning in one way or another, simply stating, "We would like for you to revisit this as soon as possible. For those of us who were there for the August 2000 meeting, it would be nice to see something culminate from that. Could I be so bold, would it be appropriate to make a motion on that issue?"

Dianne Meester- Motion is made and seconded and I know that there may be some alternates that want to speak, and I know Eric that you did.

Eric Hooper- This may help in the voting on the motion. I would just like to direct the council members to their packet. There is a letter in here... We seem to think that Dan Basta may have us on the back burner, well, it seems to me just last month, he had written a letter to Fish and Game, John Ugoretz, to ask him to make sure that he included the sanctuary participation in the state reserve process. Well, if he is taking that type of interest, and asking for us to talk to John Ugoretz, which I think that any one of the people on the staff could have talked to John since he is practically in your office everyday and asked for participation. Somehow Dan seems to think that he had to write a formal letter. I think that it is our turn to send a letter to headquarters that is to quote Michael Hanrahan "light a fire under his butt and get this thing going". He is clearly written a letter that is something we could have probably done ourselves or the staff could have, so I think that this is an important issue that we should probably prepare the letter.

Dianne Meester- Any other comments?

Greg Helms- I don't want to wordsmith too much, but I like the idea or will make a motion of giving Adm. Lautenbacher a taste of the experience we had. We made it a high priority, we worked for two years, Dan came, we got the community engaged, we are worried about the engagement of the community and can you please tell us what is up? In as brief a way as possible giving him the facts but not taking a side one way or the other, details of our experience of the past 2 years.

Bob Duncan - As long as there is no political leaning there whatsoever.

Mike Murray- So you want the letter to retrace the SAC's involvement with the planning process so that he has some of the history of how hard you guys worked.

Greg Helms- Like what Anne just gave us.

Dianne Meester- I think the point about that NOAA should put priority on completing some things they started before they get into new issues. Any other comments?

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Walt Schobel- Does this letter go up to the Admiral or does it go through Matt and Basta? How far up the chain will this letter go?

Dianne Meester- I think it will go to Matt for his review and then it will be cc'd to Dan.

Dianne Meester- We will make sure that Dan knows about it. He is not going to have approval or cut the wording of it.

Mike Murray- It would be good to have clarity of who is the primary recipient and who is cc list?

Dianne Meester- I think we should send it to the top guy.

Dick Holt- I am standing here new to the council, but I am also thinking you are talking about a guy that is running a large organization in Washington DC, who is spending jillions of dollars on satellite systems and many other things. What we are talking about here is peanuts when you are looking at something like what NOAA is involved in and to think about sending this admiral a letter from a group like the SAC is a little bit like peeing in the ocean. You don't make any difference in the water level and I don't think it will make any difference at all when you do something like that. I think what you got to do, since I've worked at these levels before, I think you got to pick the target where you can get something done and you are not going to get something done by writing this admiral a letter. I can guarantee it will be dropped into a wastebasket and it will never get anywhere. So, you really have to pick and choose where you take action and that is where you target. You don't target a guy sitting up there worrying about a whole lot of satellite systems and other things that cost lots and lots of money, when he's got all sorts of things like coral reefs and everything else that all of the other people are worried about. You may be barking up the wrong tree. That is just my observation.

Bob Duncan- Candidly, I don't think that this is that big of an issue honestly. We have a lot more to cover today that is a somewhat more substantive, so, I would revisit, take a vote and if it passes, the letter should go to Basta and stop there.

Anne Walton- I want to make one comment real quickly. Every letter that goes to Lautenbacher we hear about, we have to respond to back at our level. I also want to say that the Sanctuary Advisory Council's have very large voices in our program and at NOAA and they're very much listened to because they represent the public and our constituency and other agencies. Because a letter does come from the SAC, it does have a lot of power within our corporate management

Bob Duncan- If I may on that issue, I think Dick's got a point, there is a hierarchy here that should be noted, so I would reiterate that I think that Dan Basta is where the letter should go and then he could do with it as sees fit, up to the admiral or not.

Melissa Miller-Henson- I would like some clarification, my understanding is that the hold up is not at Dan Basta, but at the Admiral in which case, that is where I think we should be directing out effort, to where ever the holdup is. Dan is well aware of our frustration and the staff's frustration in wanting to move this forward. I think that certainly our concern in Resources Agency is that there has been substantial redirection of resources to these new management plan review processes. Here we have one that we of this community and the staff has put a tremendous amount of time and effort into and it has been sitting on the back burner for over a year now, and yet they are moving full steam ahead with plenty of resources directed to these three other management plans. That to us is absurd and we would like to understand why it is that this other management plan has not been forwarded.

Dianne Meester- To give a little more perspective on that, when I was in Florida, Dan was there and we talked about the management plan process and the holdup and it is pretty clear it is not with him, it is above him. He certainly is doing what he can to get all of the management plans going. I wouldn't hold him completely harmless, but the meeting with the admiral or vice-admiral is really what is holding this whole next step up. So, my recommendation is that it goes to him.

Bob Duncan- There is still a stopgap that it is going to go through Matt. I make a **motion** that the letter objectively state that we would request that the issues of boundaries be revisited as soon as possible, with some conversation about the history of the SAC that has been involved to get to that point, with no leaning in the verbiage whatsoever between the different parties, with different opinions on this and it should be sent to the Admiral. Signed by the SAC and going through Matt.

Diane Meester- I would like to restate what I heard before, which was to ask them to give us a definitive date for the release of DEIS and management plan. I do not think that we want to revisit the boundaries.

Greg Helms- Second **the motion**.

Drew Mayerson- In thinking about this, I really believe that the letter should go to Matt with the request that Matt forward it to the Admiral. I think it is the best way to go, it doesn't cut Dan out of the loop which he will get blindsided. Depending on what we say in the letter, it may look (to the Admiral) like Dan is starting too many processes and not in control of his own organization. He has got 3 or 4 different management plan reviews going before he is finishing one. So, I really think it should go to Matt with a request to give it to the Admiral.

Bob Duncan- That is stated more clearly, that should be predicated on the fact that Matt is the stopgap. If he determines that this is not appropriate, I would agree with you wholeheartedly and just stop right there. We are still here to be a council to the Marine Sanctuary Manager.

Dianne Meester- How about if I talk to Matt about this, since I will have to sign the letter and we will discuss it before it is formalized. Let's vote on your motion with the understanding that I will consult with Matt before we go forward with it.

Bob Duncan- So, we will create a letter to the Admiral that will flow through Matt and he will make the final determination on whether it should proceed up the ladder or not, requesting that they review this process.

Matt Cahn- There is some question as to what the proper role of the SAC is and that has come up in the past, and will come up in the future. One could argue that we are clearly an advisory council to the agency. At the same time, we are a conduit between the public and the agency. When we engage in these types of activities, which is to put a little bit of subtle pressure, if not a fire under the butt of whatever person, we are creating some momentum from outside the agency. By putting Matt in the position of having some kind of formal review, even if it is an informal review, there is some formality to it, it does more than simply slow down the momentum. It creates an awkward situation, in that his fingerprints are all over it as it goes up the chain. And while we do not want to do anything that will put the agency in an extraordinarily awkward position, I think what we want to is to put the agency in a little bit of an awkward position. But, not put any individual, and certainly not the manager, in the awkward position of having taken it, approved it and passed it on. So, in that sense, having it go up to the Admiral while cc'ing it to Matt, would probably be sufficiently aggressive while maintaining the subtlety that we are trying to maintain.

Dianne Meester- What Robert suggested is the protocol anyway. Matt gets to decide whether or not something leaves this Sanctuary Advisory Council. We are restating the protocol.

Roberta Cordero- It would be good to say something like, "according to protocol that is already set..." rather than saying specifically that you are sending it.

Dianne Meester- **All** those in favor, raise your hand.

VOTE:

16 yes

2 abstain (Mark Helvey and Alex Stone because they report directly to the vice-admiral)

Anne Walton- I just want to clarify a couple of comments that came up. Just to let you know that my employment has changed at NOAA, I don't work for the

Channel Islands anymore. I work for the National Marine Sanctuary Program out of DC. Part of my agreement in doing so, was that I would maintain oversight on the Management Plan review process here at Channel Islands and this would be my priority. I am working with Sean Morton on the Joint Management Plan Review which is three sites, Monterey Bay, Gulf of the Farallons, and Cordell Banks National Marine Sanctuaries which are going through a joint management plan review process. I am working on that, but my priority remains Channel Islands and I will see it through. I want there to be a clear understanding because I see some of you at other meetings and other locations in other parts of the state and it may be confusing. I want you to know that this is my top priority.

Dianne Meester- We are going to move to public comment.

3. Public Comment Period

Jeff Lubock- Commercial fisherman, Ventura County for 25 years. I wanted to bring up a couple of points on the economic impacts of the scope of the proposed closures. As far as the economic impacts on commercial fishermen, this will result in condensing more commercial fishermen. Most of my fisheries take place at the Channel Islands, where 85 % of my fishing done. If we do go to a scope of 30-40% closures, this will obviously condense the fishermen that are left into smaller areas. One proposal is the possibility of buyouts of some of the commercial fishermen, retire their vessels and retire their licenses, permits to reduce the effort. This might play down the economic impact on some of these fishermen. I have been asked by the squid fishermen in this area to make a couple of comments as far as boundaries of the proposed area. We have been using new logbooks for the last two years and they are specific latitude and longitude where fishing takes place. Can they be considered on boundaries instead of the logbooks that were used from the past which were based on lot numbers which are much larger areas that are not nearly as specific. One other thing that I wanted to raise a point of is when we do get into these boundaries, commercial fishing activities will take place in open areas. However, when a squid fisherman lays out his net and he closes up the net, there will be drifting while pumping the fish out of the net. The same thing will happen with commercial harpoon swordfish, we will place gear into a fish and quite often fish will swim several miles or currents can cause drift of gear several miles before they can be picked up by commercial fishermen. Are we prepared to micro manage these boundaries and will the commercial fishermen be allowed to come in and pick up commercial gear inside the boundary? Or, is he going to be prohibited from fishing miles from the boundary? How will we go about doing this micro management and they should be addressed prior to doing the closure.

Don Dusette- Just so everybody understands what you are talking about, how many miles will a swordfish run?

Jeff Lubock- Quite often they do not move a great deal of distance, but there are times you will have a fish with the gear in them that will swim about 3-4 miles in a 3 hour period and up to 10-12 miles in a 10 hour period.

Don Smith- I was in commercial space business since 1984, retired as California State Port Authority 5 years ago, still an associate member of the California Space Authority. We are very concerned about expansion of boundaries, and we believe that the Admiral is also. In our Space News, he is questioned about that in the latest edition. We are talking billions of dollars of satellites and the launch vehicles impact the ocean in the first, second and third stages. If there is any mitigation fees or any restrictions on that, if those aren't cleared up, then your boundary problem hung up not only by the administration, but also in congress. Recognize that we have the military representatives and that they cannot really speak for the commercial space industry because right now the pentagon is trying to disassociate themselves from the commercial space industry at the same time they are representing the commercial space industry. It is a problem that has not been solved at the top level, either by the administration or congress.

Sandy Delano- Ventura Port District. I do want to remind the group that I have heard a lot about the buy out process. I want to remind you of the trickle down effect, icehouses, fuel docks, marinas, diesel mechanics, etc. So even if commercial fishermen could be bought out, it would still impact a lot of other business.

Frank Sullivan- Recreational Sport Fisher. He and a lot of people he knows wants this closure decision made in conjunction with the overall state closures. We do not want to get impacted here and then get impacted on the coastline as well.

Dianne Meester- There are two tasks left under management plan that we need to discuss. So start to think about them during break

BREAK

4. SAC Annual Planning, Continued

▪ Council decisions on SAC priority issues and plans for 2002

Dianne Meester – Back to this table from last meeting on the Management Plan Update Process, we have gotten through first two steps. Next we need to address Refining Performance Indicators for Management Plan Objectives. The site has recommended that one of the things we could contribute is to develop quantitative or qualitative performance indicators for the Sanctuary Action Plans and develop a model approach for

measuring resource management effectiveness. Is this a contribution that we are willing to make what? And then, if the approach that the staff has suggested is an approach that we are willing to consider. The approach that they are suggesting is that after the draft management plan is released, we create either a working group or a subcommittee to take the lead in developing these performance indicators and that we work closely with the staff and National Marine Sanctuary headquarters in making recommendations to the Sanctuary. Is that something that the SAC is willing to do? Are there people who are interested in serving on either a working group or subcommittee to accomplish this?

SUBCOMMITTEE: Dianne Meester, John Clark, Matt Cahn, Greg Helms & Jackie Campbell

Mike Murray- That sounds like a subcommittee. We are very grateful that you are interested. This is something that the program is going to do anyway, and we think that it is really great if there are SAC members who want to get involved. Anne or someone from headquarters could come and explain this a little better. I realize that it is very abstract at this point. Performance indicators, what does that really mean?

Dianne Meester- On the Final Environmental Impact Statement and Final Management Plan issue, we are probably not getting to it this year, so I recommend that we assume that it will be kicked to next year.

▪ **WATER QUALITY Thinking Like A Watershed, Dr. Michael McGinnis**

Mike Murray introduces Dr. Michael McGinnis who has played a strong participatory role in sanctuary issues over the last 3 years. He has a deep expertise in watersheds and water quality issues and collaborative community processes. He will give you a 15-minute broad brush of the complexity of the water quality issues that affect the sanctuary from the channel to the coast to the watersheds. He will give some context to some decisions we will make as a body.

Mike McGinnis- For about 12 years I have received support from the National Science Foundation, and four separate awards to study the ecology and the role of values, perceptions and beliefs in a new emerging movement at the watershed scale and the American west (west of the 100th meridian). One thing that is very interesting for us to think about, is that there are over 600 watershed organizations in California such as: Urban Creek Council, Friends of the LA River, Friends of the San Gabriel River. All of these alliances that have emerged are primarily at the non-governmental level. And most of these groups, organizations and alliances do not receive federal or state support. They are pure examples and good examples of what communities and diverse folks getting together and diverse partnerships and alliances can do to think about watersheds. Overheads. Title: Thinking Like a Watershed. Development of a watershed consciousness, knowing where you are, your sense of habitation in a place. In my view, these emerging forms of activism and interest in policy making start with the identification of the neighborhood creek or swale and how in time you realize how that swale or creed is connected to a larger system of relationships, ecological relationships. The swale connected to the slough, which is connected to a creek, which flows out to the Santa Ynez range (within my particular region). The overheads can be found in a white paper that the Ocean Coastal Policy Center produced this year called "Making the watershed connection" and it is a survey of watersheds, wetlands, and regional planning efforts in Southern California from Point Conception to the Tijuana slough. Available digitally, there are over 140 photographs of birds of our region and reptiles and habitats of our region. You can look at this to find out more about the natural history and the watersheds of our region and Southern California. Look on the Ocean and Coastal Policy web page. The Ocean and Coastal Policy Center published seven white papers last year, all of them on the bight, all on the coastal watershed, wetlands and the ecological relationships that you find in the bight.

The Salmon Wheel - Why are people getting involved in watersheds? One primary motivating factor is the totem salmon, the wild salmon in particular. Salmon are great surrogates for the health of a watershed. They connect us in unique ways to these particular places. In the western United States, we have seen this proliferation of these watershed-based organizations to deal with the totem salmon and the return of the wild salmon. An interesting way to think about this is to think about places in general and places of habitation. The watershed movement in California is reminiscent of the old native way of thinking about a place, the old sense of inhabitation of a particular community and a region. When you put up this figure head of the boundaries of native Californians, you will note that they reflect hydrological containers, watershed containers. When we think about the Chumash or the Tongva or the Malibu or the Miwak, these tribes often spoke a language that was identified by particular places. They spoke languages and fostered a knowledge that was

based on particular watersheds. Their boundaries often reflected those hydrological containers. In some respects we are returning to this understanding of watersheds as a unit of both physical and social identification.

We have to recognize that there are a whole range of problems that are mobilizing people to deal with these watershed issues. Most of us recognize in Southern California this dramatic decline in coastal wetlands, marshes, dunes, sloughs and salt-water marshes. These nurseries to the sea, where fishes and invertebrates that we harvest commercially or recreationally are born in these coastal processes, like wetlands, or salt water marshes. In Southern California, we have lost these, they are severely degraded. On the order of 92-93% of all Southern California wetlands have been degraded or lost. The future of the last remnants of these wetlands are in jeopardy. We need to think about these wetlands as part of a core of a watershed where rivers fill into sloughs and these wetlands and sloughs dump in and provide important biomass for nearshore marine systems. Folks in Southern California are beginning to think about these wetlands that are remaining and organizing in terms of alliances and networks to protect the last remnants of these coastal wetlands in Southern California. In some respects the loss of wetlands is a primary motivating force for a lot of folks in Southern California to think about wetlands and the protection and recovery of wetlands.

We also have to recognize the whole range of natural and human related impacts to our coastal watersheds in Southern California. From the impact of sediments to kelp habitats near shore, to erosion considerations, to eutrophication, toxic outputs with respect to PCB's and DDT (In our own Magu Lagoon we still have the remnants of DDT). We have this dynamic impact of both natural disturbances from plant-related impacts or warm water regimes, and terrestrial and near shore water quality from channelization. The LA River is virtually paved. It is a freeway. In LA basin, there is approximately 35 Billion tons of pavement. You can imagine what kind of impact that has on the LA River or Santa Monica Bay. Our own region is really a fluid medium, the watersheds of Santa Barbara county in particular, from Point Conception down to Rincon, have 41 creeks that flow south from the Santa Ynez range into the northern part of the bight. This speaks to this fluid medium, especially in this Mediterranean climate that we are part of. Three or four of these creeks still sustain some level of wild southern steelhead (an endangered salmon). One of the things that we need to think about in our region is: What is the connection between the Santa Ynez range and these creeks? Between the coastal valleys, agriculture, human development and the nearshore kelp, rocky reef, eelgrass beds that are right offshore in the northern part of the bight? It is a very important component with or without boundary expansion, these creeks, the Santa Clara River, the Ventura River, the 11 rivers of Southern California have an impact on the bight. They have an impact on the Northern Channel Islands. We recognize that our own human activity within the coastal zone has an impact on these kelp, eelgrass, and rocky reef habitats that we are so concerned about today. They are having an impact on the level of biomass and biological productivity that these coastal areas are producing.

California ranks second in the country in the number of aquatic species that are listed as threatened or endangered. That is a good indicator of the health of these watersheds. The fact that we have between 100-300 wild southern steelhead in our region is another good indicator that our watersheds and coastal wetlands are not as healthy as they should be. What are our indicators and keystone species? What are the surrogates that might help us organize a little better in terms of partnering in developing social alliances to deal with these watershed issues, to foster a healthier green coastal interface with respect to the northern Southern California bight? Birds are a prime keystone species that also, like southern steelhead, reflect the health of our riparian systems. There is an incredible level of bird abundance that follows the Santa Ynez River and its tributaries. The Santa Ynez River is the largest river in Southern California. 1400 animals live within our region and most of them are birds. Why are birds so important? One reason to justify the importance of birds as an indicator species is that birds eat and shit a lot. They distribute carbon in a marine system. They are prey and they are predator. Basic ecological theory points to the importance of birds. In the Southern California Bight, most of us recognize that bird abundancies and distribution has been declining dramatically. Marsh birds, shore birds, even pelagic species like the Sooty Shearwater. The Sooty Shearwater is down 90% in the bight. It is the most abundant bird in the bight. That is an indicator that perhaps of the level of disturbance in the bight. But, the bird is also a very good species to think about the health of our riparian areas, like the Santa Clara River,

one of the last remaining habitats for an endangered bird. Targeting birds is a way of galvanizing and thinking about our watershed in different ways.

Steelheads are a great way of reflecting on that link and the corridors that exist that the steelheads depend on. The essential fish habitat of the southern wild steelhead is identified on this map from NMFS. They are a very resilient species, its DNA is pre ice-age. They are a very flexible, adaptive animal. It is very important for coastal California to sustain a healthy steelhead run. Based on the notion of the value of the salmon, that they are a very good galvanizing surrogate in getting people to think about broader ecological considerations like water quality or like birds. Target these species to use as indicators to think about large-scale relationships and our relationship to these animals, we need to develop partnerships in unique ways. We also need to develop these partnerships in ways that can not and will not depend on the governmental support. We have a smaller piece of pie coming from the federal government and the environmental protection agency, the state resources agency to deal with these problems. There is a mosaic of private and public land, obviously partnerships have to emerge to deal with the steelhead issues. These partnerships have to emerge independent of government revenues and government resources. New non-governmental partnerships will be an essential part of protecting these last remnants the southern steelhead.

There is a lot of indication that folks are beginning to think about watersheds in unique ways and organizing accordingly. We find that with this proliferation of non-governmental watershed organizations and councils and conservancies in California usually occur in rural areas. They have been organizing in unique ways. In some respects those areas that are not very populated or rural areas you have seen this proliferation of watershed organizations. Southern California is behind in developing these networks and alliances. Map-Distribution of watershed groups by watershed. We see more and more watershed organizations developing, these are NGO's that depend on people and time and energy. We also see a bunch of Federal initiatives that may help these coalitions and alliances in some respect. There is a whole series of state initiatives. California is dramatically behind other coastal states in developing a watershed based framework for policy making and planning. Oregon, Washington, Montana, Idaho, the East Coast & Florida have very solid, dramatic and ecologically progressive oriented watershed programs have been developed by their governor or by their legislature. This state is behind the eight ball. We have no real clear watershed based framework for biodiversity protection, or habitat protection, or watershed based protection. One thing that the SAC should think about is how can they contribute to these non-governmental alliances and networks that have been developing to deal with these pressing biodiversity or water quality issues.

Questions:

Harry Liquornik- Do you think that a good coastal policy would be to bring back 25% of historical wetlands in Southern California to restore back to its natural state.

Mike McGinnis- If we could focus on enhancement of wetlands or coastal processes with particular things in mind that we want to enhance, like fish productivity. I have seen very serious partnerships emerge between for instance small farmers and fishers, to deal with salmon issues or water quality issues or habitat issues. We are ripe for that kind of partnership in this region, between users of marine systems and wetlands.

Harry Liquornik- Do you think it would be an acceptable social policy to restore 25% of the wetlands, just come in and bulldoze all businesses and families straight out tomorrow?

Mike McGinnis- No, that won't happen. The fact is that we have a very progressive Southern California wetland recovery project that has been going on for about 6-7 years that is prioritizing particular wetland enhancement efforts up and down Southern California. Property rights issue is a very important component of that. We need to develop relationships with private property owners in healthy ways that have that long lasting partnership. We also have to deal with rising sea levels. These impacted by rising sea levels.

Harry Liquornik- So similar policies would be followed in the marine reserve issue as we would do on the coast. It seems perfectly acceptable to come in and eliminate 25% of the fishing grounds without any time to adjust. If you applied that same policy to coastal wetlands, would it be acceptable to go in and pull all those businesses and families?

Sandy Delano- Do you see any better partnering or improvement in the agricultural industry as far as chemicals?

Mike McGinnis- The landowners and the farmers that I have worked with, especially in Northern California, are very progressive folks who develop conscious new ecological alliances and new economic alliances. A lot of learning and alliance building cutting across different interests. The partnerships that need to emerge to deal with these watershed issues are made up of very diverse folks who often don't agree on specific values or interests, but they respect their differences. In respecting their differences, they understand the common elements. That is why salmon, water quality issues or a bird is an excellent surrogate to connect people across neighborhoods, across watersheds, to think about common issues despite their differences. What we need is a new institutional form of respect for partnering and alliance building, and also respect for the differences.

4. (Continued)

Dianne Meester- Back to our chart. The site has recommended water quality issues as a high priority issue for the SAC for the coming year and they are suggesting that the task they are faced with is developing recommendations for addressing water quality issues in the Sanctuary and the Sanctuary resources. They have suggested that we could contribute by helping them compile and synthesize information on water quality threats and jurisdictional responsibilities and then recommend strategies of priority actions and programs for measuring water quality affects on the sanctuary and resources. Is that something that the SAC wants to take on this year?

Troy Rentz - What are some of the water quality threats for the sanctuary right now?

Mike Murray - We thought we would review some of that based on the materials that we mailed out.

Dianne Meester - One item that was put in the packet was the water quality preliminary draft section of the management plan that talks about different threats.

Troy Rentz - We can only work within our limits, what could we do? Is there something within the sanctuary boundaries?

Sean Hastings- That is an interesting perspective because in looking at the political boundaries of the sanctuary, one thing we can do is look outside the boundary and what poses threats to the water quality around the islands. During storm events, you can see the Santa Clara River plume actually delivering tons of sediment to the island environment. If the council is interested, there is a role for the council because of the coastal and mainland influence. We are constrained by the political boundaries around the islands, but we do look outside of that boundary. Pollutants do move in and out. We recently have been involved in the Southern California Bight Toxicity Studies, looking at fish and sediments from Point Conception all the way down to Mexico border. Unfortunately, we thought that the Channel Islands might be a pristine sight from which to measure impacts that are happening on the mainland, we are finding toxicity levels as high around the islands. That is further justification why we would look outside, toward the mainland to see what is coming instead of just within the sanctuary boundaries

Melissa Miller-Henson- Monterey Bay National Marine Sanctuary is a good example of where they have looked at some of those inputs from outside their boundaries with the water quality protection program. They have been able to work in a cooperative fashion to create a program to minimize that impact.

Anne Walton- I think that the sanctuary program not only affects policy change about water quality but also education and outreach opportunities.

Michael Hanrahan- Radioactive waste disposal has occurred in the study area?

Michael Murray- It is not real clear. From way back, it is not real clear on who dumped what exactly where. This group has asked those questions in the past, and we have discovered that it is not easy to get the answers. That does not mean that it is not worth continuing to ask questions and look for answers. But, I do not have them.

Anne Walton- We don't even have an inventory of what is there.

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Dianne Meester- There are three different things that we could do. Form a working group, form a task force, or we could participate by sending a member or two to participate in an existing group.

Michael Murray- Any experts or groups that you feel would be necessary to come and talk to us or educate all of us is open to your suggestion. We will try to bring that to the table.

Jon Clark- What are the impacts of what flows out of the creeks on the sanctuary? It seems like that is where the sanctuary has to begin. We have to know that before we start working on it. We need to get some level of understanding of what this connection is, although a lot of it is intuitive.

Anne Walton- Part of what the structure of working groups allows you to do is to bring in experts to sit in on a working group to provide relevant information.

Jeannette Webber- I agree with Anne, with all of these different groups that are working on this particular problem, with regards to the tourism industry within the city of Santa Barbara, we voted a couple of years ago on measure B which has raised now \$2,000,000 per year to work specifically on this issue. What we are finding is that the group, while we monitor it, they are sort of trying to figure out what to do. They have not really done anything yet. Part of the problem is that they do not have the expertise, which a lot of this group does have. Our involvement would at least bring some cohesiveness to their groups, so that eventually, as Mike (?) pointed out, we can all come together and work towards the same goals. The bottom line is that without the water quality, Harry is not going to have any fish to fish.

Mark Helvey- Mike brought up the point that some of these groups that are trying to restore some of these populations, one of them is the steelhead recovery that NMFS. Something like this would be a real value added to that effort. I see a lot of leveraging between agencies. I think that there is a lot of potential here.

Mike Murray – Talked with Matt about this request item. Part of our history as group is that MBNMS came out to talk about water quality protection program, which is a leading model for the whole nation on improving water quality – a comprehensive, umbrella approach, working with watersheds and agriculture. However, Matt Pickett wants to make sure that we know that he does not mean to say that we do what MBNMS did tomorrow. Because it is a huge undertaking and we need to make small steps first. The SAC should understand that there are so many players and organizations and levels of government involved. In there are some gaps and issues that are ignored: education, outreach, research, monitoring, funding, etc, those traditional elements that Sanctuaries do so well at. He is looking for that niche. Someday we could have greater role in water planning, but he is looking for the first couple of steps this year. I just wanted to say that to give the SAC Matt's view or perspective on getting started.

Jack Peveler - Does this mean that there is the potential for the Sanctuary to provide funding to private as well as public organizations to improve water quality?

Mike Murray - I am not sure that I know how to predict the different ways Sanctuary funding, how ever small or large that could be, could be used. Typically it would be programs.

Jack Peveler – Just in Ventura County, that is the big bills. Everybody realizes that non-point source pollution is a significant issue. Funding and having the resources available to do it has been a real issue. There has been no organization that steps up and gives money for that.

Sean Hastings - That is right. These things take money. It also takes the energy and involvement of people to identify problems and bring people together. We have actually have identified some portion of our budget for water quality issues. This is an opportunity to decide what niche we have as far as water quality in how we will use that seed money. Mike pointed out that now is not the time to create the Monterey comprehensive water quality program yet. Let us find out where we can make the difference. We do have in our budget a line item to deal with this. We do have in some ways research programs and to a small extent education; regulatory-wise, the Sanctuary is a no-discharge area. It is time to start looking at the connections between the mainland and the offshore islands and seeing where this body can make a difference.

Sean Morton- For Monterey it took seven years of study and we're just now looking for funding for some of those programs.

Don Dusette – I think that maybe the first step that the SAC could do would be to foster an awareness of local residents of Santa Barbara of how the mainland effluent is impinging on the Sanctuary. The toxicity that you are talking about, that blows me away, I had no idea that the counts were this high. Once the awareness is there, maybe we could get some mainland formation of wetland groups.

Greg Helms - The baby-steps concept that Matt talked about is one that I support; the awareness concept that the previous gentleman pointed out I support; jurisdictional issues and funding, etc and also assessing what Monterey did over seven years, and going through a lessons learned approach regarding water quality; namely a restrained approach doing some assessment of capability and suitability approach. It seems to me that that is where the SAC is at.

Dianne Meester - Anyone else interested in participating in this?

Water Quality Subcommittee:

Jack Peveler, Eric Kett, Jeanette Webber, Troy Rentz, Roberta Cordero, Don Dusette, Jon Clark for subcommittee. Greg Helms will chair.

Dianne Meester - It looks like a subcommittee of 7 to identify at least some first steps that this group could take in gathering information and coming up with an approach. We need to think about is, how are we going to use our existing working groups? There will be an educational component, a research component, and that is probably something that working groups ought to think about and come back with a proposal.

Mike Murray – If the subcommittee could think about the role of the existing working groups, that would be great.

Dianne Meester - Greg will head up this group. Are there specific things that the SAC would like to request that this group do, particularly for the next meeting?

Michael Hanrahan - I suggest identifying existing local groups and non-profits focusing on water quality and management like Santa Barbara Channel Keeper and Watershed Resource Center for information.

Dianne Meester - Maybe existing governmental organizations.

Alex Brodie - Gather up all research that is currently going on with the Park, with the coastal watershed research with Plumes and Blooms. All this information is out there. It should all be coalesced and put together to find out what is missing.

Greg Helms – The legislative wheel is always hitting on water quality as well.

Eric Kett - At the last meeting that the SAC had, Bob Warner had mentioned that he didn't feel there was enough data points on water quality, especially in the Channel Islands. In the last 2 months I concentrated efforts on putting together that data. You would be surprised at how little published information that we found on what is actually being done at the islands for water quality. The coast seems to be rather well handled by many organizations that are actually doubling up or duplicating efforts. When you actually go out to the islands and you want to find any type of record on any water quality studies that have been done, it is extremely difficult. Although there is a lot of verbiage, you can't find actual data points. Over the last two months, I haven't found as much information as I thought was available.

Dianne Meester – At a minimum, for our next meeting in May this group would report back on existing local groups, what research there is and some suggestions on how the existing SAC working groups can help with this process.

Dianne Meester – Moving on to the remaining items that we have listed, we have a number of other items that are listed on page 3 of the chart. I don't know how much people think that we can accomplish this year aside from the tasks that we have previously discussed on Marine Reserves. There were a number of them and we created a number of groups to do those and the issues that we talked about on the Management Plan and Water Quality. Remaining we have Seabirds as a focus area, Channel Islands National Park General Management Plan process, and other potential activities like light impacts, aquaculture activities, acoustic impacts, marine bioprospecting, exotic species, and marine zoning of the Sanctuary for other purposes than Marine Reserves. Which ones should we focus on in the remaining time? Is our plate full? We only have 4 official meetings left

this year. Most of this work will happen outside this room. Any strong interests in these remaining medium-priority issues?

Harry Liquornik - I have a question for staff on light impacts. There was a letter to Fish and Game regarding the management plan of the squid. Are you going to continue pursuing squid management? Originally was a proposal to close some of the squid fish grounds because of light impacts. Fishers managed to work out shielding of lights and limiting wattage to get around that. Are you going to continue pursuing that?

Sean Hastings - With light impacts specifically and more generally seabird issues, Fish and Game, the Park, the Sanctuary and US Fish and Wildlife continue to consult with one another on seabird protection issues and sources of potential threats to seabirds, like lights. There are a series of plans underway (the Squid Fishery Management Plan) that will address potential threats to seabirds. There is a marine reserve issue regarding seabird protection and disturbance issues. Agencies are trying to work together to address seabird issues specific threats like light impacts. The answer is yes, we will continue to work on these issues. But no talk yet of comprehensive seabird plan or a very focused light regulation persay. The agencies are working together, so the question for the council is, does the council want to be involved in any way (formally or informally) with the ongoing agency work?

Harry Liquornik – My concern is the interplay between the agency and the actual fishers. The last letter was written, without any input from your fishing seat. I don't know if you talked to Neil or anyone. When the original light issue came up, Ed sent a letter on behalf of the Sanctuary supporting the closure without consulting fishing. We managed to work around that. If you are interested in continuing addressing this issue, I would like at least Neil or some of the squid fishermen to be aware, and anytime when you write the letter, consult the fishing seats before you send a letter about this. A little input from industry would be helpful.

Dianne Meester - I don't see anyone wanting to take on more issues. I think that I am getting the strong feeling that we don't want to take on anymore issues. I think it is important to realize that if these issues become really hot, the Sanctuary will bring these issues to us and ask for our advice. It looks like we have our plates pretty full. We will call this item done and break for lunch.

LUNCH

5. Working Group and Ad Hoc Group Progress Reports and Recommendations

A. Education Working Group - Kathy deWet-Oleson – We have had two meetings, one on Jan 30, and one a couple of days ago on March 13. In the first meeting, we had 20 people in attendance. A lot of time was spent reviewing the reserve process. Spent time answering questions from all that were in attendance on that issue. In our discussions, there seemed to be sense of ambiguity about planning for something that does not yet exist. So, we spent time dealing with that issue, that we can't forecast what is going to happen, but that we do need to have a plan. Eric Kett suggested that we focus on the reserves that do exist, i.e. Anacapa. We were finally able to get over that barrier and start making progress and think about developing something that could be used as a model for other areas should other areas be put in place. Look at handout. We started to brainstorm about different user groups and potential strategies for outreach. In our second meeting we had 11 in attendance. We were able to spend a short amount of time on the reserve issue (less controversy), and spend more time on information processes. This is much more productive for us. We had started to take a serious look at the potential members of the group. We utilized a survey that was passed out to each participant asking for feedback on their areas of expertise. This was handed out and e-mailed to folks from first meeting. We can then identify where we have gaps. There were quite a few people who attended the first meeting, and didn't go to the second meeting so the survey went out through e-mail. We don't have all the feedback yet, but at this time, we may need to recruit someone from the Commercial Fishing, Education (K-12), University representative, and Enforcement/Fish & Game personnel. Have marine mammals (this was an area that we identified as a need), and public education (looking at community groups). We also decided to consider changing name. Several possibilities but still have not made a decision yet. Still taking input on that. Some of the proposed ones were: SEA, SEAL, & SEEK. During the first meeting, talked about how need to explain acronyms to people. Began process of putting together list of acronyms from the last three years of MRWG notes. We have copies of this and a master sheet to add more acronyms that others know about for their agencies. Next meeting is on April 10 and May 1. Have a lot of heavy-duty issues to progress on. Probably changing to evening meetings. We are trying to do a bit of recruiting, so if you have anyone to

recommend for this group contact Kathy or Mike Smith. Areas of coverage that we have: community college/public education (myself and Larry), recreational boating, recreational fishing, scuba diving, environment, research, tourism, harbors, media, publicity, regional historian, museum educators, marine mammals and public education.

B. Ad Hoc Group on Biological Monitoring of Marine Reserves - Dan Brumbaugh - Bob Warner is the chair but he can't be here. This groups discussions were conducted entirely by e-mail with a fair number of people weighing in and then Bob synthesized it. First recommendation (included in packet) is to establish a task force, the form of this task force was not discussed that much. Timeliness is critical, sanctuary staff is expecting a decision about reserves to happen sometime this summer. We want to have a monitoring program designed by whatever task force we have ready for the decision this summer. We want before data and after data. The scope of the work is to affect some changes due to reserve implementation. That sounds simple, but requires clarification on goals and objectives, including what particular features we want to focus on. What guidelines are appropriate: what will be measured, monitored and what won't be. The scope includes monitoring within reserves as well as outside reserves. Critical technical issue to be determined it how far do you go outside to measure and establish what the control is. Existing resources that are available for this task are: a review of ongoing monitoring programs in the sanctuary; review of comparable monitoring programs in other sanctuaries; development of potential cooperative monitoring programs by users of the Sanctuary. Finally we have a list of areas of expertise we would like to include in this task force. Finally, the next steps are to address the ad hoc group (with Council's approval) and need to continue process of identifying specific people for this group. Then we need to decide how this task force will be formalized, should it be a formal working group or some other. The group does not yet have a recommendation on that. We started to discuss it, but did not reach a conclusion. Good time for other members to weigh in on this working group structure versus some alternative.

Eric Kett - I think that this could be one of the most important working groups in the sense that biological monitoring should be done anyway, regardless if there are reserves or not. It should be an established working group of the Sanctuary and should include as many people as possible because more people (non-scientists) could find interesting solutions – thus your inclusion of a lot of people in this working group is important; it will give a new perspective on a complex issue. I would propose that this be a fixed working group.

Mark Helvey - This may be a foundation for any kind of adaptive management that is going to be done. Should some type of manager be a part of this and more emphasis on fishing community, so that we have scientists and fishing community and resource managers working together?

Dan Brumbaugh - We intended to have more fishing community participation.

Harry Liquornik - Did Matt Pickett say anything about the formation of the task force? My concern is to keep the momentum rolling. We have a good group together. I don't want to see work on this stop while we wait to put this task force together. We need to prioritize getting together all the existing monitoring programs at the Channel Islands and begin evaluating those. The group can continue to analyze this while waiting to form the broader task force.

Matt Cahn - It may be appropriate for some discussion between the chair of the task force and Matt to see if there is any staff support to providing appropriate information. As an example, the Science Advisory Panel was extraordinarily effective because they had Satie doing an enormous amount of work to synthesize the science information. The ability to have staff help with things like identifying other monitoring programs, best practices, etc... would be really helpful. On behalf of Bob, I would like to make that request.

Mike Murray - I would say that Matt is concerned about the ability to replicate the level of staff support, which was unprecedented, from Satie. We are not in the position to do that right now. We realize that all these groups need some assistance. We do not have the details figured out who, how much time, etc. We know it is important. We are hopeful that any such working group has a chair and members that have some time to be a working group. We do not want to foster the model of staff really doing everything and feeding it to the working groups. We know that everyone is a volunteer, and that we need to provide help and guidance and bring in experts.

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Harry Liquornik - How about the Park Service? The park service has a pretty aggressive monitoring program out there. Can we get support staff from the park?

Tim Setnicka – Probably, what do you need?

Harry Liquornik - We need more monitoring sites, quarterly surveys (rather than just bi-annual), quarterly arial surveys, triple transect data, etc...

Tim: OK, Is that it?

Alex Brodie - I might recommend that Fish and Game is doing regular flyovers. How about using Fish and Game arial surveys? I know that they are doing mostly law enforcement, but is there any way that they could do things like kelp size, etc.

Sean Hastings - Everyone is suggesting the direction that we are heading for in monitoring programs. Everyone's budget cycles ebb and flow and the way we maintain the existing monitoring programs is to work together. The agencies do pull together to get things done. As this task force develops, the details of what will be monitored and how it will be monitored, I envision exactly what you are asking for. The Channel Islands are one of the most studied areas in California. We do have resources. The Sanctuary has a plane. As we identify what we want to monitor, we can use those tools and direct those tools to those tasks. We do not have a point person right now hired to do this. We recognize and acknowledge that there is a need. We fully intend on bringing all of the partners together and their resources to help do that.

Jeanette Webber - Monitoring process is extremely important because we have to get year to year results to say if it is working.

Dianne Meester - Are people ready to say that we should go ahead and authorize the formation of a working group to tackle this issue. It is an ad hoc group right now.

Mike Murray - To be a SAC Working Group there is an expectation from the Charter and from the history that it means certain things: 1. Hold open public meetings, not closed door, which are open to community input and raise awareness. We wouldn't expect a technical group would host a public forum. However, this group used e-mails. There should be considerations given to this type of technical group. Having said all that, I don't think that the staff has a strong opinion. The standing ad hoc group perhaps should revisit this before people force you to become a working group.

Matt Cahn - The implications are important and will impact the effectiveness of the group.

Mike Murray - Having said that, we would not want you to wait around while we decide whether you should be a working group or not before making some progress on the issue.

Matt Cahn - We will consult with you to see what the implications of the different options are and what will work best.

Eric Kett - It seems like they have asked for the WG designation to get community involvement in the respect that they have asked for participatory monitoring programs. You are asking for a tremendous amount of input from the public representatives. They have recognized the fact that the group needs to be more than just scientists. We need a real true perspective on just what we are monitoring and all the different input that is available, including anecdotal evidence of what people see out there on recreational boats can play a very important role. Many of the discoveries of science have been an apparently inadvertent observer.

Dan Brumbaugh - I agree that there needs to be public input, but there are different ways to accomplish this.

Alex Brodie - Is there a difference in the ways that information is given to the public? Whether it is an Ad Hoc Group or Working Group?

Mike Murray – Working Group meetings themselves changes when it has to be in a public setting, large or small. I would hope that whatever group, that this could be a public forum at which everyone catches up, weighs in and learns about the plan as it is developing. The main thing is how the working group operation changes slightly if it is under the SAC charter. But I would hope that it would always come back and be open to public review.

Dianne Meester - What is the ad hoc group planning on doing next?

Dan Brumbaugh - The group plans to discuss these format issues and discuss specific recommendations for the identities of the experts that we would need for the task force, and liaison more with Sanctuary staff on clarifying the objectives.

Harry Liquornik - Get back to the ongoing programs and get an emphasis on getting that started regardless of whatever direction we take. It is a logical next step for either the existing group that we have now or if we are forming a new group.

Anne Walton - In the management plan we have formalized this by creating an outline of the monitoring plans for marine reserves and education and outreach program and enforcement program for reserves. It is something we are committed to for the long-term.

Sean Hastings - We have a handle on how we can generate the list pretty quickly. It is a staff task that we have at our fingertips.

Anne Walton - We have actually written a description already in the management plan of all the monitoring programs. We could just make that available.

Matt Cahn - Staff is already well aware of this, but the residual of this being the ad hoc committee and prior to that, members of the science advisory panel being aware that there is a difference between policy/implementation/compliance monitoring and biological monitoring. Some of the concerns that some scientists are bringing up, is that they are wanting to be assured that whatever monitoring takes place will follow some type of robust methodology that could be reliable for learning in the scientific sense as well as for monitoring compliance and the regulatory sense of the reserves as they unfold.

Mike Murray - Thank you to the ad hoc group for your leadership on this. We will do our part as staff to keep you informed on existing programs. We look forward to more progress.

Melissa Miller-Henson - Need ad hoc, subcommittee, working group distinctions. How long does each exist for?

Mike - Ad hoc groups exist for very short time, and may be composed of SAC members. It is something between a working group and a subcommittee. Look at membership, do they have public meetings, and how long do they exist for? That is what we hope to work through.

C. Ad Hoc Group on Socio-Economic Monitoring of Marine Reserves - Sean Hastings- No meeting yet, because the two leading economists that worked with MRWG are very busy right now analyzing the proposals that are before the state right now. Need a month, because they are working on the state review. They provided a list of what they set up in the Florida Keys when the reserves were established there. It is a very comprehensive socio-economic monitoring program. They provided some details on way they set it up, in community forums, etc. They have data coming back from their monitoring programs. There is now a template out there that we can benefit from. No need to duplicate the initial structure that was used in Florida. Let us wait till the economists are ready. The program will have to be tailored to the area here. We are committed to getting this group going. Made some contacts with the Florida Keys staff. This involves both university and local mariners to help collect and assimilate data. They will be eager to come out and share with us. Looking for an appropriate date for that. Holding pattern till next SAC meeting. It will expedite the design of the Channel Islands Monitoring Program to just build off of the design that they have.

D. Ad Hoc Group on Marine Reserves Enforcement - Bob Duncan - Nineteen people participated, including those on conference call. Charged by Matt to look at to determine if the SAC should be involved at all. The agencies have their expertise. Representative from the Coast Guard, Fish & Game, Park Service, National Marine Fisheries, sport diving, boating, fishing. We broke it down into two areas: process and content. The first meeting was meant to be a process meeting, what procedures to put together? Is there merit in having the SAC involved? Yes (no dissenting votes). Next question was content based, how best to proceed to get information to public on how to tell public where the reserves are, enforcement issues, etc. The Chief Ranger, Jack Fitzgerald of the Park Service gave us a good idea of a two-tier approach. We do not want to tread on what the agencies are doing. Tier One would involve having the agencies meet amongst

themselves to dust off the acronyms (MOU's) that they have been working under because there is so much crossover. How will Marine Reserves impact what they are already doing? Tier Two would be to reconvene the Ad Hoc Committee and continue with the process discussion. What should we do? Thus we can get some guidance from the Committee and at that time get into more content. Also, after that, we might have a third item in the summer, perhaps have a public forum in the summer for public input. Now we are trying to understand our role. Our Sanctuary manager can play a role in bringing all of these agencies together to start the dialogue. This is a positive aspect. Looking forward to our second meeting and potentially a public forum.

Jack Peveler - I think it is important to involve the public as soon as you can.

Eric Kett - The MOU's were old (15-20 years), brought to light that the agencies need to update/revisit these MOU's – who has jurisdictional enforcement, etc. Good that it got the ball rolling in this regard. I think that there is much more of a connection between enforcement and education than people realize.

Bob Duncan - What we would try to do with the help of the education working group, there will be an educational flavor to it. There is a good overlap.

Kathy deWet-Oleson - Our group examined other groups and how they were intertwined with the education process and that was clearly something that came up. A lot of what the education is about is enlightening the public.

Bob Duncan - I can almost see the Education Group as the hub with spokes coming down, one of which would be Enforcement.

Mike Murray - To answer Jack's line of questioning, the sense that I got from the agencies was that the key enforcement agencies needed to get together on their own and revisit this issue. Groups should share ideas, but in the beginning there should be separate groups. At the very first meeting they started realizing that people like Eric Kett had some great ideas that should be influencing enforcement planning and enhancing it. They just wanted to have two tiers in the beginning, since they recognized that it had been awhile since this kind of new issue had been coordinated amongst so many agencies. Then bring it back into a forum where people can participate and those concerns that you speak of can get raised and questions can be answered.

Jack Peveler - I understand that, I am a little surprised at where the state process is. These same issues are going to come up, the same issues are involved.

Bob Duncan - Do we make this more of a permanent committee or short term and disband after a public forum or two?

Dianne Meester - So, the plan is to have another ad-hoc meeting?

Bob Duncan - The plan is to tenderly kick the agencies group rear-ends to have their meeting, and then quickly reconvene this ad-hoc committee for a second meeting to take the input to the agencies and then potentially a third public forum meeting integrated with the education group, sponsored by NOAA Channel Islands National Marine Sanctuary. We need to work out how that would work with the education working group.

Michael Murray - I think that we have a general direction that makes sense, and that by the time that we meet in May, dates and suggestions will become clear.

Dianne Meester - Does that sound ok? (silent acceptance) This concludes working group presentations and recommendations.

6. Marine reserves regulatory process update

John Ugoretz: At the point of the last meeting, we were about to complete the initial statement of reasons for the proposed regulations. We have now completed it and will send it out notice and will hear comments about this issue at the next meeting on April 4. The next major point on the regulation is the decision meeting in August. The reason for the large gap is that they go inland for a few months and they don't like to discuss major marine issues inland. Since that time, we have been working very hard on getting environmental documents for these regulations complete. There is still a lot to be done. We are just now receiving step two economic impact analyses from the socio-economic team of the Sanctuary/NOAA. This information is critical for the environmental document. We need all this before it goes out. The document will be lengthy since

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there will be lots of background information biologically and economically about what exists at the Sanctuary. In addition, there is information about what activities there are, and how the various options affect these activities. We are attempting to get the document done by the end of next week. This means getting a draft to the public a week or two after that. It will be publicly available for review and comment up until a month before the commission makes decision, at which time they will take comments and must respond to them in the final document. The final document gets presented and approved at about the same time as the commission makes a decision. We are still working with six spatial alternatives for marine protected areas at the islands and a no change alternative and a defer to the Marine Life Protection Act alternative. The Commission has not made any changes there, nor made any indication as to what they prefer. They have said that they would like to make a decision in August.

Dianne Meester - Are you going to have formal meetings to accept public comments or just accepting written comments? If the document is not released for another three weeks, there won't be a meeting in this area until the decision has been made.

John Ugoretz - Comments will be accepted at official meetings. They may hold a special hearing, but no indications of this yet. I would not be surprised if they decided to hold a special hearing.

Dianne Meester - I am sure members would appreciate having local input.

Mike Murray - How soon thereafter a Fish and Game Commission vote are the laws on the books? Is there a standard length of time?

John Ugoretz - Normally, standard regulations go into effect the 1st of the next calendar year or at the beginning of the commercial fishing season in April. I don't know in terms of the implementation of these regulations, but I would be surprised if it would go into effect the first of the calendar year since August would be the adopt date. That is up to the Commission. Another alternative is to phase this in.

Sandy Delano - How will it be distributed to the public? Do you think there will be special meetings?

John Ugoretz - I'm not sure of the standard method for distribution. It is too big to e-mail or reproduce on a broad basis without requests. But there is a standard format for how an environmental document goes public, though I do not know it. Upon request, we can furnish people with it. It will be at fish and game offices and there will be notices. We will do a Sanctuary e-mail list. We can't make copies to start off with. It is a 500-page document. People will have to request it.

Melissa Miller-Henson - Is Fish and Game working with CINMS to prepare the document?

John Ugoretz - It is officially a state document. Yes, we are working closely with sanctuary staff to prepare this, especially to get detailed information about the islands. Regulatory issues are coming from the outside, and the economic data is coming from the panel.

Sean Hastings - On the federal side, the Fish and Game Commission decision will affect potential reserve establishment between 0-3 miles. The networks that were proposed extend beyond 3 miles, so there is a federal process that will follow. At this time the Sanctuary program is waiting for the state decisions in August. Following that, we will initiate our environmental review process very similar to the state process. We produce environmental documents and put them up for review.

John Ugoretz - One of the ideas that the department was going to raise at the Pacific Fisheries Management Council was to establish a subcommittee to look at this issue. One of the reasons for getting the document out so quickly is so that the Council can have the ability to review and comment on it before the Commission decides. I'm not sure if the subcommittee was established. The environmental document is a draft document. Any comment will be responded to in the final document.

Sandy Delano - This will possibly be adopted by August?

John Ugoretz - They will certify the environmental document before they adopt the regulations. All this happens hand in hand.

Sandy Delano - You (state) have your environmental document, and once they have it done, you (federal) will have a separate one?

John Ugoretz - Yes, for the federal side.

Sandy Delano - How big will this document be?

John Ugoretz - About another 500 at least. In the analysis of the state document, we are analyzing the whole thing. We are not just analyzing the state portion. We are breaking it out between state and total impact. But the two documents should be very similar. There should not be a lot of different information in the federal document. That is why we are working so closely. The public has been aware of this as a complete network, and although the commission only adopts the state portion, we are keeping the complete network idea so you can see what is actually being proposed.

Harry Liquornik - Wouldn't you want to finish the MLPA first?

John Ugoretz - It would be very unfair to the process that has gone on locally to combine the Channel Islands with the rest of the state. It would dilute the information that you have already given us. The locals that worked on this deserve to have this come out separate.

7. SAC Operations: letter-writing protocol

Dianne Meester - Harry had requested discussing the administrative procedures for drafting Sanctuary Advisory Council letters.

Harry Liquornik - Everybody on the panel has their name on the letters. If it could be done in a timely fashion, when a draft of a letter is ready, could it go out by e-mail to the SAC to make sure that no one has a serious problem with it. One letter that went to the Commission had a couple minor errors. If no one responds within three or four days, then basically that means approval. The opportunity to review a letter while it is in draft form.

Diane Meester - Here is my concern since I have to sign the letter and Mike has to write and rewrite it. What can't happen is that the content of the letter can't change as a result of the review process. We have to stick with the concept of the letter. I will need to retain some authority as to whether someone is trying to change the content of the letter; it must stick with what the motion embodied. I will accept input, but I have last say on what the content is. Stick with what the intent of the motion during the meeting. It will need to reflect what was agreed upon during the meeting.

Mike Murray - I share that concern. I notice that sometimes when this group passes a motion to write a letter, there are varying degrees of detail that are agreed upon. Some letters have more or less detail to go on. There are many ways to say something that is consistent with the motion. Maybe it makes sense that if a letter address's sensitive topics or is very detailed, it would be appropriate for the person who made the motion or those actively working on it could be on a subcommittee to draft it to make sure Diane and I got it right. Hopefully we will not have to do that every time. That way, if we do share things over e-mail, we have a better shot at getting it right the first time. Sean, does Monterey SAC have letter subcommittees for important stuff or does the chair make sure that it is right?

Sean Morton - It is the staff that preps the letter and gives it to the chair and the chair goes over it. The chair might circulate it to check it.

Dianne Meester - In Monterey they would not put it on e-mail.

Melissa Miller-Henson - They have done that a couple of times over the years, if the letter was significant enough and if there were people that felt strongly enough, they would ask to see the letter before it went out. In terms of general operations, it was up to the chair.

Roberta Cordero - What about the idea that if the SAC member wants to see the draft before it is sent, they must request it. If someone has a particular concern, they could be proactive about that concern, and not have to send it to everybody.

Dianne Meester - It is similar to what we do with the review process for the appointments of member replacements. Frankly, not that many people request to review applications. We do send the letters out to everyone on e-mail after it is signed.

Jackie Campbell - If SAC members are absent, is a good way to keep informed if they are interested in the topic.

Dianne Meester - Most people would like to get a copy of a letter that is going to be going out and if they choose to comment, then they comment.

Melissa Miller-Henson - It is helpful to write in the header to indicate what it was.

Mike Murray – Are we talking about a rough draft or a final draft?

Dianne Meester - Rough draft, meaning the draft before it is signed. The other issue is that if we are going to send out these letters that are proposed final drafts it needs to be understood that they are internal. First line should say this is internal SAC letter. Do we need a motion on this? Does anyone strongly disagree? No.

Harry Liquornik - Can we send it in PDF form? This would address the concern about edits.

8. Future SAC meeting schedule and agenda topics

Dianne Meester - We are 10 minutes ahead of schedule. We have four more meetings this year. Next meeting is May 8 in Santa Barbara. We had talked about meeting in Lompoc for one of our future meetings. Is that too much trouble?

Mike Murray - We are always welcome up there. They are extremely proud of the Marine Sanctuary. They have finished their facility and it is spectacular. Do people want to go far that north for a SAC meeting?

Dianne Meester - I get the feeling no. Future agenda topics: We have received one request from the otter project to give a presentation on May 8 on their data collected after their first year of operation of the Beachcomber Project.

Mike Murray - We believe in council retreats. This year, before or after October 1 makes a difference budget-wise. Past October 1, we could probably be more expansive in what we do. I have enough money to run SAC through the end of the year and a little bit of travel money to bring in expert speakers.

Dianne Meester - The retreat last time flopped. Should we start setting dates early, i.e. now? Should we set an October retreat in our May meeting?

Mike Murray - We can check Santa Cruz Island UCSB reserve station.

Larry Manson - Another problem with instruction is that it is hard to get away. We have never considered a retreat on a weekend. Is that impossible for government folks?

Dianne Meester - Maybe a Friday-Saturday possibility? One work day and one weekend day?

Harry Liquornik - October is better because we are on a M-TH fishing schedule.

Dianne Meester - We will set a time in May.

Mike Murray - We usually invite SAC and alternates, 43 Advisory Council representatives plus staff. So the number is in the mid-50s. But we've never gotten more than 18 takers.

Dianne Meester - On the one day trip, was that a better turnout?

Michael Murray – There were about 27 SAC members.

Tim Setnicka - If we do a daytrip, government people will not have to get back at quitting time. We are getting some more vehicles over at Prisoners and we need to think about getting more bunks and beds, etc that we need to come up with. Think about that. I will think about it creatively before the next meeting, how we can do this.

Eric Kett – I may have access to transport too.

Dianne Meester - Meeting **adjourned**.

*Meeting minutes respectfully submitted by
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